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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

20 LEON DELEON,) CIVIL NO. 1:23-CV-00585-SKO
21 Plaintiff,)
22 v.)
23 KILOLO KIJAKAZI,)
24 Acting Commissioner of Social Security,)
25 Defendant.)
26)
27)
28)
29

30 IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo
31 Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned
32 counsel of record, that the above-entitled action shall be remanded to the Commissioner of
33 Social Security for further administrative proceedings.

34 Upon remand, the Appeals Council will remand the case to an Administrative Law
35 Judge (ALJ) to develop the administrative record as necessary and issue a new decision. The
36 parties further request that the Court direct the Clerk of the Court to enter a final judgment in
37 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner. The
38 parties agree that reasonable attorney fees will be awarded under the Equal Access to Justice
Act, 28 U.S.C. § 2412, upon proper request to the Court.

STIPULATION TO REMAND; ORDER

1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
2 Social Security Act, 42 U.S.C. 405(g).
3

4 Dated: June 3, 2023

/s/ Jonathan Pena*

JONATHAN PENA

Attorney for Plaintiff

*Authorized via e-mail on June 2, 2023

7 PHILLIP A. TALBERT

8 United States Attorney

9 MATHEW W. PILE

Associate General Counsel

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10 By:

/s/ Heidi L. Triesch

11 HEIDI L. TRIESCH

12 Special Assistant United States Attorney

13 Attorneys for Defendant

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15 **ORDER**

16 Based upon the parties' Stipulation and Unopposed Motion to Voluntary Remand
17 Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to
18 Remand") (Doc. 11), and for good cause shown, **IT IS ORDERED** that the above-captioned
19 action is remanded to the Commissioner of Social Security for further proceedings pursuant to
20 the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

21 The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant,
22 vacating and reversing the final decision of the Commissioner and thereafter close this case.
23

24 IT IS SO ORDERED.

25 Dated: June 6, 2023

/s/ Sheila K. Oberto

26 UNITED STATES MAGISTRATE JUDGE